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7 Attorneys for Defendant:
WEN YUEH LU

FILED
DISTRICT COURT OF GUAM

JAN 22 2007

MARY L.M. MORAN
CLERK OF COURT

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9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF GUAM**

12 UNITED STATES OF AMERICA,

MAGISTRATE CASE NO. 06-00031

13 Plaintiff,

14 vs.

15 WEN YUEH LU,

16 Defendant.

**NOTICE OF MOTION TO DISMISS;
or in the alternative TO SUPPRESS
EVIDENCE FOR DESTRUCTION
OF EVIDENCE**

17 PLEASE TAKE NOTICE that on FEB - 2nd 2007, 2007 at the hour of 9:30 a.m.
18 of the said day, in the court room, District Court of Guam, Hagatna, Guam, has been set
19 for the hearing of said Motion to Dismiss; or in the alternative to Suppress Evidence For
20 Destruction of Evidence.

21 Dated this 17th day of January, 2007.

Respectfully submitted,

22 Attorneys for Petitioner/Defendant:
23 WEN YUEH LU

24 BERMAN O'CONNOR & MANN
25 THE LAW OFFICES OF MARK S. SMITH

26 By: [Signature]

DANIEL BERMAN
MARK S. SMITH

27 **RECEIVED**
28 JAN 19 2007

DISTRICT COURT OF GUAM
HAGATNA, GUAM

ORIGINAL